IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO : 9241 of 2004

Between:

1 Dinesh Agarwal, S/o. Rambarosi Lal agarwal,
R/o. Kodad Village and Mandal Nalgonda District.
2 Venna Muthaiah, S/o. Venkatappaiah,
R/o. Kodad Village and Mandal Nalgonda District.
3 G.V. Brahmam, S/o. Tirupathaiah,
R/o. Kodad Village and Mandal Nalgonda District.
4 N. Seetharamaiah, S/o. Veeraiah,
R/o. Kodad Village and Mandal Nalgonda District.
5 T. Seshagiri rao, S/o. Venkateshwar Rao,
R/o. Kodad Village and Mandal Nalgonda District.
6 G. Kashi Vishwanadham, S/o. Ramakotaiah,
R/o. Kodad Village and Mandal Nalgonda District.
7 G. Venkateshwarlu, S/o. Ramakotaiah,
R/o. Kodad Village and Mandal Nalgonda District.
8 T. Ram Rao, S/o. Venkateshwar Rao,
R/o. Kodad Village and Mandal Nalgonda District.
9 N. Ramanaih, S/o. Narayana,
R/o. Kodad Village and Mandal Nalgonda District.
10 Ch. Venkateshwarlu, S/o. Laxmana Chary,
R/o. Kodad Village and Mandal Nalgonda District.
11 B. Shankar Rao, S/o. Laxminarasaiah,
R/o. Kodad Village and Mandal Nalgonda District.
12 B. Nageshwar, S/o. Muttaiah,
R/o. Kodad Village and Mandal Nalgonda District.
13 B. Venkateshwar Rao, S/o. Laxminarasaiah,
R/o. Kodad Village and Mandal Nalgonda District.
14 P. Venkateshwarlu, S/o. Narsaiah,
R/o. Kodad Village and Mandal Nalgonda District.
15 Sri Ramalingaiah, S/o. Muttaiah,
R/o. Kodad Village and Mandal Nalgonda District.
16 Ch. Baskar Rao, S/o. Jagannatham,

R/o. Kodad Village and Mandal Nalgonda District.

17 B. Radhakrishna, S/o. Laxminarsaiah,
R/o. Kodad Village and Mandal Nalgonda District.

18 B. Janardhana Chary,
R/o. Kodad Village and Mandal Nalgonda District.

..... PETITIONERS

AND

1 The District Collector, Nalgonda,
Nalgonda District.
2 The District Panchayat Officer,
Nalgonda, Nalgonda District.
3 The Panchayat Secretary, Kodad Gram Panchayat,
Kodad Mandal,Nalgonda District.
4 The Divisional Panchayat Officer,
Miryalguda, Nalgonda District.
5 The Sarpanch, Gram Panchayat,
Kodad, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more in the nature of Certiorari calling for the records relating to the impugned Memo.No. 609/03-B4 (Pts), dated 29-4-2004 issued by the District Panchayat Officer, Nalgonda and its consequential Notification dated 1-5-2004 issued by the Panchayat Secretary, Gram Panchayat, Kodad and quash the same as illegal, arbitrary, unjust and violative of Articles 14, 19 (1) (g) and 21 of the Constitution and consequently hold that the petitioners are entitled for renewal of lease for a further period of three years in terms of the Resolution of the Gram Panchayat dated 19-2-2004 and pass

Counsel for the Petitioner: MR.D.LINGA RAO

Counsel for the Respondent No.: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following :

ORDER:

None appears for the petitioners.

Learned counsel for the respondents 3 and 5 states that since in pursuance of the impugned notification auction has already been conducted on 26.05.2004, nothing survives for adjudication on merits.

Accordingly, the writ petition is dismissed as infructuous. No costs.

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G.ROHINI,J

Date: 06-12-2004

Klp

To

1 The District Collector, Nalgonda,
Nalgonda District.
2 The District Panchayat Officer,
Nalgonda, Nalgonda District.
3 The Panchayat Secretary, Kodad Gram Panchayat,
Kodad Mandal,Nalgonda District.
4 The Divisional Panchayat Officer,
Miryalguda, Nalgonda District.
5 The Sarpanch, Gram Panchayat,
Kodad, Nalgonda District.

6.2CCs to G.P. for Panchayat Raj and Rural Development, High Court buildings, Hyderabad.(O.U.T)

7.2CD copies